

FILED

FEB 20 2015

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

Name: HUDSON TORIANO GERMAINE
(Last) (First) (Middle)Prisoner Number: # CC146J994Institutional Address: 901 COURT ST
MARTINEZ CA 94553

(PR)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

TORIANO GERMAINE HUDSON
(Enter your full name.)

CV 15 787-1

vs.

RICHMOND POLICE DEPTCase No. _____
(Leave blank; to be provided by Clerk of Court)COMPLAINT UNDER THE
CIVIL RIGHTS ACT,
42 U.S.C. § 1983

(Enter the full name(s) of the defendant(s) in this action.)

I. Exhaustion of Administrative Remedies.

*Note: You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.*A. Place of present confinement MARTINEZ DETENTION FACILITY MARTINEZ CAB. Is there a grievance procedure in this institution? YES ☐ NO ☒C. If so, did you present the facts in your complaint for review through the grievance procedure? YES ☐ NO ☒

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue any available level of appeal, explain why.

1. Informal appeal: N/A

2. First formal level: _____

N/A

3. Second formal level: _____

↓

4. Third formal level: _____

E. Is the last level to which you appealed the highest level of appeal available to you?

YES ☒ NO ☐

F. If you did not present your claim for review through the grievance procedure, explain why.

THIS IS A CIVIL SUIT AGAINST THE
RICHMOND POLICE DEPT & ITS OFFICERS

II. Parties.

A. Write your name and present address. Do the same for additional plaintiffs, if any.

TORIANO G. HUDSON 901 COURT ST. MARTINEZ CA. 94553
MA. 3921 FLEMING AVE RICHMOND CA. 94804

B. For each defendant, provide full name, official position and place of employment.

OFFIC. DIAZ - RICHMOND POLICE DEPARTMENT

OFFIC. BROWN " R.P.D.

OFFIC. OJO " R.P.D.

" SGT. STONEBRAKER R.P.D.

OFFIC. REID R.P.D.

OFFIC. MARWEG R.P.D.

OFFIC. SOUZA R.P.D.

1 **III. Statement of Claim.**

2 State briefly the facts of your case. Be sure to describe how each defendant is involved and
3 to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If
4 you have more than one claim, each claim should be set forth in a separate numbered paragraph.

5 ON JANUARY 17, 2014 I SUFFERED A SEIZURE WHILE
6 DRIVING MY SUV, CAUSING AN ACCIDENT. WHILE I
7 WAS DELUSIONAL AND INCOHERENT OFFICERS FROM
8 THE R.P.D. TOOK ME FROM THE REAR OF THE PATROL
9 VEHICLE AFTER I HAD BEEN ARRESTED AND HANDCUFFED
10 AND HIT ME REPEATEDLY WITH METAL FLASHLIGHTS,
11 CHOKED ME VIA KNEE TO NECK, PUNCHED ME IN MY
12 FACE REPEATEDLY, KICKED ME IN THE MOUTH, AND
13 SLAMMED MY FACE INTO THE PAVEMENT CAUSING
14 MY TEETH TO SHATTER AND STITCHES TO BE
15 PLACED IN MY LIP. - I'M LEGALLY DISABLED!
WALK W/ CANE

16 **IV. Relief.**

17 Your complaint must include a request for specific relief. State briefly exactly what you
18 want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

19 WISH FOR \$4,000,000.00 IN DAMAGES BUT
20 TRYING TO SETTLE FOR \$1,250,000.00
21
22
23

24 **I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**

25 Signed this 5 day of FEBRUARY, 2015

26 Josiano Hudson
27 (Plaintiff's signature)

28 Please continue to the next page.

MAGISTRATE JUDGE JURISDICTION

Please indicate below by checking **one** of the two boxes whether you choose to consent or decline to consent to magistrate judge jurisdiction in this matter. Sign this form below your selection.



Consent to Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

OR



Decline Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I **decline** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

Signed this 5 day of FEBRUARY, 20 15



(Plaintiff's signature)